

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
April 6, 2021
Timed: 2:45 PM

To: Board of Supervisors

Through: Ann Edwards, Interim County Executive

From: Leighann Moffitt, Planning Director, Office of Planning and Environmental Review

Subject: PLNP2019-00213. 4748 Engle Road Office Building Conversion. A Use Permit, Variance, Special Development Permit, And Design Review To Convert An Existing Office Building Into An 18-Unit Apartment Building In The Business Professional Office (BP) Zone For A Property Located At 4748 Engle Road, Approximately 550 Feet East of Mission Avenue And Within The Mission Oaks Neighborhood Preservation Area In The Carmichael/Old Foothill Farms Community

District(s): Desmond

RECOMMENDED ACTION

1. Recognize the exempt status of the request under Section 21159.25 (Residential or Mixed-Use Housing Projects) and 15061(b)(3) (General Rule) of the California Environmental Quality Act (CEQA) (Attachment 6).
2. Approve the Use Permit (Attachment 3) to allow multiple family residential units within the Business Professional Office (BP) zone, subject to findings and conditions (Attachment 2).
3. Approve the Variance (Attachment 4) to allow a deviation from the landscape buffer standard established by the Mission Oaks Neighborhood Preservation Area, subject to findings and conditions.
4. Approve the Special Development Permit (Attachment 5) to allow deviations from side yard setback, landscaping screening, and parking separation standards established by the Sacramento County Zoning Code (Zoning Code), subject to findings and conditions.
5. Find the project in substantial compliance with the Countywide Design Guidelines, subject to findings and conditions.

BACKGROUND

The subject property is located at 4748 Engle Road, approximately 550 feet east of Mission Avenue and within the Mission Oaks Neighborhood

Preservation Area (NPA) in the Carmichael/Old Foothill Farms community (Attachment 1). The 0.93-acre parcel is zoned Business Professional Office (BP) and is currently developed with a two-story office building with associated parking and landscaping. Context photos of the subject site are provided with this report package (Attachment 7). Surrounding land uses are depicted on an attached map, and include single-family residential to the east, multifamily residential to the south, a single-family residential home and office building to the west, and single-family residential homes across Engle Road to the north (Attachment 8).

Project Description

The applicant requests a Use Permit, Variance, Special Development Permit, and a Design Review to convert the existing two-story office building into an 18-unit multifamily apartment building. The existing building is proposed to be retained and renovated to accommodate the proposed residential use and the site is proposed to be altered to provide additional landscaping and resident amenities. The proposed conversion would result in one three-bedroom unit, one two-bedroom unit, three one-bedroom units and 13 studios. Other renovations and additions to the building would include more windows, separate storage space for each unit, and private open space in the form of patios and balconies for each unit. Multiple alterations are proposed to the site itself, including, elimination of 30 parking spaces to provide additional landscaping, bicycle parking, and resident amenities. The proposed project renovations would result in approximately 22 percent of the site containing open space.

The site plan, floor plan, elevations, landscape plan, pergola elevations, trash enclosure elevations, and site amenities package are included with this report package (Attachment 9). Additionally, the project renderings (Attachment 10) and project perspectives (Attachment 11) are included.

Entitlement Requests

Variance Request

The subject parcel is located within the Mission Oaks NPA, which the Board of Supervisors (Board) adopted to preserve and protect the existing single-family residential neighborhoods from further encroachment of commercial and institutional uses and to adequately buffer these neighborhoods from potential noise, pollutant, traffic, and visual intrusion.

The project site is within the BP zone of the Mission Oaks NPA and is adjacent to an existing single-family residential neighborhood and residential zone within the NPA. Section 532-016 provides development standards for uses and zones within the NPA. The applicant is requesting to deviate from Mission Oaks NPA standard that requires a planter or landscaped area of at

least 25 feet wide adjacent to the interior boundary lines of all adjoining residential, recreation, or agricultural-residential zones. The applicant is requesting to deviate from the 25-foot landscape planter adjoining residential zones to the east and south. Through the retention of the existing building, a 25-foot-wide landscape planter would eliminate vehicular access to the site and circulation throughout the site, as well as, result in major construction to the building itself.

Deviations from the Mission Oaks NPA are subject to a Variance request by the Board following recommendation by the Planning Commission. The Variance process is intended to provide relief from the requirements of the Zoning Code in those cases where strict application of a particular requirement will create a practical difficulty of unnecessary hardship, prohibiting the use of land in a manner otherwise allowed under the Zoning Code. As proposed by the applicant, staff believes the Board can make the general findings in support of the Variance.

Use Permit Request

Pursuant to Zoning Code Section 3.2.5, Table 3.1, multiple family dwellings are permitted in the BP zone subject to a Use Permit from the Planning Commission. When multiple applications are submitted for a project, the Zoning Code's User Guide requires bundling of those applications for concurrent processing and final decision by the highest-ranking hearing authority. Therefore, the Board is the final hearing authority for the proposed request due to the Variance entitlement request.

Special Development Permit Request

Although the subject site is within the BP zone, Zoning Code Section 5.4.3.C states multifamily residential development in all other zoning districts, where permitted but not governed by other specific plan, special planning area, or neighborhood preservation area standards, shall utilize the development standards for the zoning district that is equivalent to the requested density for the project. The proposed project involves the conversion of an existing office building into 18 multifamily residential units. This would result in an overall density of 19 dwelling units per acre, which is equivalent to the density requirement of the RD-20 zone. Therefore, the applicable development standards for the proposed project are equivalent to those of the RD-20 zone.

A consistency analysis of use regulations and development standards applicable to the proposed uses on the subject parcel is included (Attachment 12).

Pursuant to Zoning Code Section 6.4.6.A, a Special Development Permit may be granted by the appropriate authority to provide greater flexibility from and alternatives to development standards. The applicant is requesting a

Special Development Permit to deviate from the following development standards:

- 15-foot minimum side yard setback;
- 50-foot minimum side yard setback from existing single-family residential uses;
- Perimeter landscape planter around three sides of the trash enclosure; and,
- Paved surface parking area separation requirement from primary residential buildings.

As noted, the applicant seeks to redevelop an improved property by limiting the amount of construction and site disturbance while creating a more active use. The applicant plans to create 18 new residential units by retaining the existing building with no additional development that would visually impact the adjacent single-family residences than what is currently present. The deviations requested provide greater flexibility in the design of the subject parcel while at the same time creating a safe environment through site improvements and creating an active use. The proposed project would be an improvement to the underutilized use and create a more attractive and maintained development than the site's current state. As proposed by the applicant, staff believes the Board can make the general findings in support of the Special Development Permit.

Advisory Meetings

Design Review Advisory Committee (DRAC)

The DRAC met on July 23, 2020 to review the proposed project. The DRAC recommended the project be found in substantial compliance with the Design Guidelines (Attachment 13). While the DRAC members expressed concern with the amount of setback and landscape buffer deviations requested, they ultimately were supportive of the reuse of the building to residential and appreciated the proposed installation of additional landscaping and resident amenities. A consistency analysis of the proposed project with the Countywide Design Guidelines is included (Attachment 14).

Carmichael/Old Foothill Farms Community Planning Advisory Council (CPAC)

The Carmichael/Old Foothill Farms CPAC met on July 15, 2020, to consider the proposed project. Planning staff provided an overview of the project request and described the surrounding uses and existing conditions on the subject parcel. The applicant expanded on the justification for the request and described the features and benefits of the project, as well as, answered questions from the CPAC regarding the development standard deviations being requested. The CPAC expressed concern over the existing conditions of the site and assurance of future maintenance, the small size of the proposed

units, privacy of adjacent single-family residences, and increased traffic. The applicant addressed these concerns by assuring there would be an onsite manager, and routine maintenance of proposed landscape screening. The CPAC received 18 letters from the community (Attachment 15). Two of the letters were in support of the proposed project and the remaining 16 were in opposition. A letter from the Mission Oaks North Neighborhood Association (MONNA) is included in the letters of opposition. The concerns and opposition presented in the letters involved noise impacts, lack of parking, privacy, and potentially lower property values for the surrounding area. The two letters of support commented on the need for more diverse housing opportunities.

Following deliberations, the Carmichael/Old Foothill Farms CPAC voted (5 Yes – 0 No, 1 Absent) to recommend the Board deny the requested entitlements (Attachment 16).

Planning Commission

The Planning Commission met on December 14, 2020 to consider the project. The staff report without attachments presented to the Planning Commission is provided (Attachment 17). The project presented to the Planning Commission included 20 units and the Special Development Permit included a deviation from the private open space requirement for two units. Seven public comments were heard during the public comment period. One by the Sacramento Suburban Water District addressing existing conditions and easements, and the remaining six were made by members of the public including a representative of the MONNA in opposition of the project.

Following public comment, the Commissioners discussed the proposed project. Two Commissioners commented on their support for the reuse of an underutilized property/building and housing opportunity. The other two Commissioners commented on their opposition of the project based on the lack of privacy on the west property line and project design. Commissioners also recommended the applicant make changes to the project to address the concerns of the neighborhood prior to the project being considered by the Board. The Planning Commission voted (2 Yes – 2 No) on a motion to recommend the Board approve the requested entitlements. With a tie vote, the motion failed and resulted in no formal recommendation to the Board from the Planning Commission (Attachment 18).

Following the Planning Commission hearing, the applicant made several changes to the project in response to community and Commissioners comments. The project has been redesigned to include 18 units rather than 20. Additionally, the applicant made some changes to the proposed balconies and level two corridor. These two components are proposed to

have a top rail and wood slat system for additional privacy to the surrounding residences.

Analysis

The applicant requests a Use Permit, Variance, Special Development Permit, and Design Review to convert the existing two-story office building into an 18-unit multifamily apartment building. The subject parcel has historically been underutilized and is in need of significant renovations

The project is consistent with applicable County plans, including the General Plan and Carmichael Community Plan. Although the project is requesting deviations from a Mission Oaks NPA standard and Zoning Code development standards through the Variance and Special Development Permit request, staff recommends the general findings be made to support the identified deviations. The project would be compatible with surrounding existing land uses as the subject parcel is located in an area predominantly consisting of a mix of housing types and medical facilities. The project was also found in substantial compliance with the Countywide Design Guidelines.

Planning staff acknowledges that there has been community opposition and concern noted throughout the planning entitlement process. The applicant has been willing to address community concerns, and has made some modifications to the project, most recently following the Planning Commission hearing where the number of units was reduced from 20 to 18.

Although the CPAC recommended denial of the project and the adjacent neighborhood concerns are noted, Planning staff recommends approval of this request, subject to findings and conditions. Staff recommends approval of the project as it will effectively reuse an underutilized commercial property into an apartment development, and provide much needed housing to the Carmichael community.

FINANCIAL ANALYSIS

The full cost of processing these entitlements has been paid by the applicant.

Attachments:

- ATT 1 Context Maps
- ATT 2 Findings and Conditions
- ATT 3 Use Permit
- ATT 4 Variance
- ATT 5 Special Development Permit
- ATT 6 Notice of Exemption
- ATT 7 Context Photos
- ATT 8 Surrounding Land Use Map

- ATT 9 Exhibits (EXH A – Site Plan, EXH B – Floor Plan, EXH C – Elevations, EXH D – Landscape Plan, EXH E – Pergola Elevations, EXH F – Trash Enclosure Elevations, EXH G – Site Amenities Package)
- ATT 10 Renderings
- ATT 11 Perspectives
- ATT 12 Zoning Code Development Standard Analysis
- ATT 13 Design Review Recommendation Letter, November 5, 2020
- ATT 14 Countywide Design Guideline Consistency Analysis
- ATT 15 Public Comment Letters
- ATT 16 CPAC Referral, July 15, 2020
- ATT 17 Planning Commission Staff Report without Attachments
- ATT 18 Planning Commission Transmittal, December 14, 2020